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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09 665,667	09 20 2000	Takaharu Kitada	SON-1905	5559

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EXAMINER

NGUYEN, KIMBERLY D

ART UNIT PAPER NUMBER

2876

DATE MAILED: 07/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/665,667

Applicant(s)

KITADA, TAKAHARU

Examiner

Kimberly D. Nguyen

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. 35 U.S.C. § 133.
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The abstract should be limited to a single paragraph. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Re claim 1, line 1: The addition of the word "capable" to an otherwise definite expression (e.g., capable of reading) extends the scope of the expression so as to render it indefinite.

Re claim 1, line 6: The word "its" lacks antecedent basis.

Re claim 7, line 3: The word "its" lacks antecedent basis.

Re claim 12, line 3: The word "its" lacks antecedent basis.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-2, 6, 10, 15-16 and 18-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Wang (US 5,739,518).

Re claims 1 and 10: Wang teaches an information processing system (see fig. 10), which comprises:

An information providing medium 308 capable of reading information in an electromagnetic or optical manner, the information providing medium being attached to an entity 310 in order to provide information associated with the entity (see col. 1, line 65 through col. 2, line 12);

A hand held terminal device 10 with its information read function for reading the information from the information providing medium in an electromagnetic or optical manner and recording the information (see figs. 1A-1C; col. 4, lines 35-67; and col. 8, line 47 through col. 9, line 4);

An information processing unit 300 for reading the information from the hand held terminal device and processing the information therein (see fig. 10; col. 16, lines 1-14).

Re claim 2: The information processing system, wherein the information is read from the hand held terminal device, and is processed into audible type (see col. 8, line 47 through col. 9, line 4).

Re claim 6: The information processing system, wherein the hand held terminal device is made close to the information providing medium, thereby reading information from the information providing medium in an electromagnetic or optical manner (see fig. 10; col. 8, line 47 through col. 9, line 4; and col. 6, lines 40-67).

Re claims 15-16 and 18-19: Wang teaches an information processing method, wherein an electronic advertising system applied to an advertising material concerning an article is constructed, the electronic advertising system providing the electronic information content associated with the advertising material (see fig. 10; col. 1, line 65 through col. 2, line 12).

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

8. Claim 8 is rejected under 35 U.S.C. 102(e) as being anticipated by Walsh et al. (US 6,089,456).

Walsh teaches a hand held cellular phone for reading information from an information providing medium attached to an entity, the hand held cellular phone comprising: a telephone function; information read means for reading information associated with the entity from the information providing medium; and non-volatile storage means for storing information read from the information read means (see col. 2, lines 43-58; col. 3, lines 37-55; col. 5, lines 13-49).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 3 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang and further in view of Storch et al. (US 5,367,148). The teachings of Wang have been discussed above.

Although, Wang teaches an information processing system with an information providing medium, a hand held terminal and an information processing unit; Wang is silent with the information processing unit, which is adopted to discriminate whether the information read from the hand held terminal device is genuineness or counterfeit.

Storch teaches counterfeit/genuineness objects, which can be detected by checking associated ID numbers, which include one or more appended fields in a database containing the correct authorized ID numbers (see figs. 1-4; col. 10, line 4 through col. 11, line 43).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the notoriously old and well known counterfeit/genuineness detection system taught by Storch to the teaching of Wang in order to integrate the safety measures for the original manufactured products.

11. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wang and further in views of Gallagher, III et al. (US 5,959,531) and Watada (US 6,012,641). The teachings of Wang have been discussed above.

Although, Wang teaches an information processing system with an information providing medium, a hand held terminal and an information processing unit; Wang is silent with the information providing medium, which comprises a film shaped substrate, an IC chip provided at the substrate in order to store information associated with the entity, and an antenna body connected to the IC chip.

Gallagher teaches a radio frequency identification (RFID) tag system, wherein the intelligent tag comprises an IC chip and an antenna body connected to the IC chip (see fig. 4; col. 6, lines 12-52).

Watada teaches a plastic card with a laminate of a plurality of sheets of a stretched polyester film substrate, which the desired shape of the card is not particularly limited (see fig. 4a-4b; col. 4, line 53 through col. 5, line 4).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the notoriously old and well known intelligent tag system as taught by Gallagher, and a plastic card with laminate of polyester film substrate as taught by Watada to the teaching of Wang in order to incorporate the mechanical strength, dimensional stability, heat resistance and intellectual functionality (IC chip) to the information providing medium.

12. Claims 5, 7 and 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang as applied to claim 1 above, and further in view of Walsh et al. (US 6,089,456). The teachings of Wang have been discussed above.

Re claim 5 and 11: Although, Wang teaches an information processing system, where the hand held terminal device comprises at least an antenna body for being coupled with the information providing medium in an electromagnetic manner, information read means for reading information associated with the entity from the antenna body (see fig. 10; col. 8, line 19 through col. 9, line 4); Wang is silent with respect to the hand held terminal device with a non-volatile storage for storing the information read from the information read means.

Walsh teaches a hand held device, which has a memory storage PROM, where PROM is served as non-volatile storage memory/means (see col. 3, lines 37-55).

Re claim 7: Wang is silent with respect to the hand held cellular phone having its information read function.

Walsh teaches a hand held cellular phone system, which comprises an information read function (see col. 1, line 65 through col. 2, line 7; and col. 3, lines 37-55).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the notoriously old and well known hand held device with a non-volatile memory storage (e.g., PROM) and an information read function as taught by Walsh to the teaching of Wang in order to enhance the information holding/processing functionality of the hand held device.

13. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh as applied to claim 8 above, and further in view of Wang (US 5,739,518). The teachings of Walsh have been discussed above.

Walsh is silent with respect to the hand held cellular phone, whose information read means is through an antenna.

Wang teaches a hand held terminal device, which comprises an antenna body to be coupled with the information providing medium in an electromagnetic manner, and reads information associated with the entity from the antenna body (see fig. 10; col. 1, line 65 through col. 2, line 12; and col. 8, line 19 through col. 9, line 4).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the notoriously old and well known a hand held terminal device with an antenna body to be coupled with the information providing

medium in an electromagnetic manner as taught by Wang to the teaching of Walsh in order to intensify the technological flexibility to the system.

Conclusion

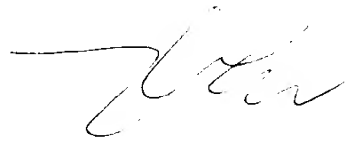
14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Mine (US 2002/0006786 A1) teaches a digital information input system includes an electronic information terminal device for inputting a code information regarding a search targeted article or the like. Kleinschmidt et al. (US 6,085,112) teaches a communication device, which has a wide variety of components, such as speech input and output devices, image display and a computer. Knowles (US 6,345,764 B1) teaches a hand-held www access terminal for accessing html encoded documents located on the www. Bowers et al. (US 6,025,780) teaches an electronic security system with a set of predefined RFID tags.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D. Nguyen whose telephone number is 703-305-1798. The examiner can normally be reached on Monday-Friday 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 703-305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-1341 for regular communications and 703-305-1341 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-8792.

Kimberly D Nguyen
July 3, 2002

A handwritten signature in cursive script, appearing to read 'Thien M. Le', written in dark ink.

THIEN M. LE
PRIMARY EXAMINER